



Case No. 3591-1336

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BACKREST FOR A SEATING STRUCTURE WITH AN ADJUSTABLE SACRAL SUPPORT, the specification of which:

- ☐ is attached hereto.  
☒ was filed on October 14, 2003 as Application Serial No. 10/686,554.  
☐ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|----------|-----------|------------------------|------------------------------|-----------------------------|
|----------|-----------|------------------------|------------------------------|-----------------------------|

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| (Application Serial No.) | (Filing Date)   |
|--------------------------|-----------------|
| <u>60/418,483</u>        | <u>10/15/02</u> |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |
|--------------------------|---------------|---------------------------------------|
|--------------------------|---------------|---------------------------------------|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature  
Full name of sole or first inventor  
Residence  
Citizenship  
Post Office Address

BURKHARD SCHMITZ  
Berlin, Germany  
German  
Kanstraße 57, 10627 Berlin, Germany

Date: 03/01/04

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200

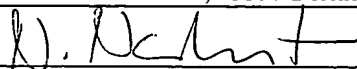
Inventor's Signature  
 Full name of second joint inventor  
 Residence  
 Citizenship  
 Post Office Address



Date: 03/01/04

CLAUDIA PLIKAT  
 Berlin, Germany  
 German  
 Bellermannstraße 1, 13357 Berlin, Germany

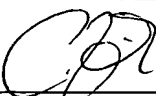
Inventor's Signature  
 Full name of third joint inventor, if any  
 Residence  
 Citizenship  
 Post Office Address



Date: 03/01/04

NICOLAI NEUBERT  
 Berlin, Germany  
 German  
 Tübingerstraße 3, 10715 Berlin, Germany

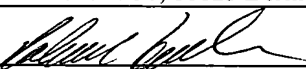
Inventor's Signature  
 Full name of fourth joint inventor  
 Residence  
 Citizenship  
 Post Office Address



Date: 03/01/04

CAROLA E.M. ZWICK  
 Berlin, Germany  
 German  
 Kantstraße 30, 10623 Berlin, Germany

Inventor's Signature  
 Full name of fifth joint inventor  
 Residence  
 Citizenship  
 Post Office Address



Date: 03/01/04

ROLAND R.O. ZWICK  
 Berlin, Germany  
 German  
 Nehringstraße 4a, 14059 Berlin, Germany

Inventor's Signature  
 Full name of sixth joint inventor  
 Residence  
 Citizenship  
 Post Office Address

CHAD D. AERTS  
 Grand Have, Michigan  
 U.S.

Date:

14663 177th Street, Grand Haven, Michigan 49417

Inventor's Signature  
 Full name of seventh joint inventor  
 Residence  
 Citizenship  
 Post Office Address

JOHN F. ALDRICH  
 Grandville, Michigan  
 U.S.

Date:

3014 Tansy Trail, Grandville, Michigan 49418



Case No. 3591-1336

Inventor's Signature  
Full name of third joint inventor  
Residence  
Citizenship  
Post Office Address

\_\_\_\_\_  
Date: \_\_\_\_\_  
CLAUDIA PLIKAT  
Berlin, Germany  
German  
Bellermannstraße 1, 13357 Berlin, Germany

Inventor's Signature  
Full name of second joint inventor, if any  
Residence  
Citizenship  
Post Office Address

\_\_\_\_\_  
Date: \_\_\_\_\_  
NICOLAI NEUBERT  
Berlin, Germany  
German  
Tübingerstraße 3, 10715 Berlin, Germany

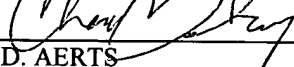
Inventor's Signature  
Full name of fifth joint inventor  
Residence  
Citizenship  
Post Office Address

\_\_\_\_\_  
Date: \_\_\_\_\_  
CAROLA E.M. ZWICK  
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German  
Kantstraße 30, 10623 Berlin, Germany

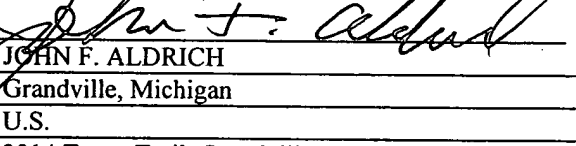
Inventor's Signature  
Full name of sixth joint inventor  
Residence  
Citizenship  
Post Office Address

\_\_\_\_\_  
Date: \_\_\_\_\_  
ROLAND R.O. ZWICK  
Berlin, Germany  
German  
Nehringstraße 4a, 14059 Berlin, Germany

Inventor's Signature  
Full name of seventh joint inventor  
Residence  
Citizenship  
Post Office Address

  
Date: 3/3/04  
CHAD D. AERTS  
Grand Haven, Michigan  
U.S.  
14663 177th Street, Grand Haven, Michigan 49417

Inventor's Signature  
Full name of eighth joint inventor  
Residence  
Citizenship  
Post Office Address

  
Date: 3-2-04  
JOHN F. ALDRICH  
Grandville, Michigan  
U.S.  
3014 Tansy Trail, Grandville, Michigan 49418

Inventor(s) Johann Burkhard Schmitz, Claudia Plikat, Nicolai Neubert, Carola E.M. Zwick, Roland R.O. Zwick,  
Chad D. Werts and John F. Aldrich

Title: BACKREST FOR A SEATING STRUCTURE WITH AN ADJUSTABLE SACRAL SUPPORT

### POWER OF ATTORNEY

The specification of the above-identified patent application:

- ☐ is attached hereto  
☒ was filed on October 14, 2003 as application Serial No. 10/686,554

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Andrew D. Stover - 38,629  
 Jeffery M. Duncan - 31,609  
 William F. Prendergast - 34,699

Please address all correspondence and telephone calls to Andrew D. Stover in care of:

Brinks Hofer Gilson & Lione  
 P.O. Box 10395  
 Chicago, IL 60610  
 (312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from James E. Christenson as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

HERMAN MILLER, INC., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.  
 OR  
☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_.  
 OR  
☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1. From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.
  2. From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature James E. Christenson Date: 3/8/04  
 Name: James E. Christenson  
 Title: Senior Vice President, Legal Services and Secretary



INDIVIDUAL ACKNOWLEDGMENT CERTIFICATE

VENUE

Federal Republic of Germany )  
(Country) )  
Berlin )  
(State, province, etc.) )  
Berlin )  
(City) )  
United States Embassy )  
(Name of consular post) )

SS.

GERMANY  
CITY OF BERLIN  
CONSULAR SERVICE OF THE  
UNITED STATES OF AMERICA 33

I certify that on this day the individual named below appeared before me and acknowledged to me that the attached instrument was executed freely and voluntarily.

--Johann Burkhard Schmitz, Claudia Plikat,  
(Typed Name of Individual)

Nikola Neubert, Carola E.M. Zwick, Roland R.O. Zwick---  
(Signature of Consular Officer)

James Marx Levy  
(Typed Name of Consular Officer)

Consul

(Title of Consular Officer)

1 March 2004

(Date (mm-dd-yyyy))

(SEAL)

ASSIGNMENT

WHEREAS, Johann Burkhard Schmitz, Claudia Plikat, Nicolai Neubert, Carola E.M. Zwick, Roland R.O. Zwick, Chad D. Aerts, and John F. Aldrich hereinafter called the "Assignors", have made the invention described in the United States design patent application entitled BACKREST FOR A SEATING STRUCTURE WITH AN ADJUSTABLE SACRAL SUPPORT, for a full description of which reference is here made to a application for Letters Patent of the United States filed on October 14, 2003, and assigned Application Serial No. 10/686,554;

WHEREAS, Herman Miller, Inc., a corporation organized and existing under the laws of the State of Michigan, having a place of business at 855 East Main Avenue, Zeeland, Michigan 49464, hereinafter called the "Assignee", desires to acquire the entire right, title and interest in and to the invention and the patent application identified above, and all patents which may be obtained for said invention, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by the Assignors from the Assignee is hereby acknowledged, the Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the invention and the patent application identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of, and any patent applications and patents claiming the benefit of or priority to, any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.

The Assignors hereby covenant and agree, for both the Assignors and the Assignors' legal representatives, that the Assignors will assist the Assignee in the prosecution of the patent application identified above; in the making and prosecution of any other patent

applications that the Assignee may elect to make covering the invention identified above; in vesting in the Assignee like exclusive title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said invention, or any such patent application or patent; and that the Assignors will execute and deliver to the Assignee any and all additional papers which may be requested by the Assignee to carry out the terms of this Assignment.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignors have executed this agreement.

DATE:

3/1/2004

Johann Burkhard Schmitz

WITNESSED:

DATE:

\_\_\_\_\_

\_\_\_\_\_

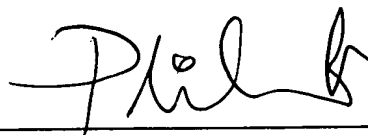
DATE:

\_\_\_\_\_

\_\_\_\_\_

DATE:

31/1/2004



Claudia Plikat

WITNESSED:

DATE:

\_\_\_\_\_

\_\_\_\_\_

DATE:

\_\_\_\_\_

\_\_\_\_\_



DATE:

01.03.2004

WITNESSED:

DATE:

DATE:

N. Neubert

Nicolai Neubert

DATE:

1/3/04

WITNESSED:

  
\_\_\_\_\_  
Carola E.M. Zwick

DATE:

\_\_\_\_\_

DATE:

\_\_\_\_\_

DATE:

03/04/04

WITNESSED:

DATE:

DATE:



Roland R.O. Zwick

DATED: 3/3/04

Chad D. Aerts  
Chad D. Aerts

STATE OF Michigan )  
COUNTY OF Ottawa ) ss.

I, Sandra K. Houting, a Notary Public in and for the County and State aforesaid, do hereby certify that Chad D. Aerts, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal,  
this 3rd day of March, 2004.

Sandra K. Houting

MY COMMISSION EXPIRES: April 14, 2007

SANDRA K. HOUTING  
Notary Public, Ottawa County, MI  
My Commission Expires April 14, 2007

DATED:

3-2-04

John F. Aldrich  
John F. Aldrich

STATE OF Michigan )  
 ) ss.  
COUNTY OF Ottawa )

I, Sandra K. Houting, a Notary Public in and for the County and State aforesaid, do hereby certify that John F. Aldrich, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal,  
this 2nd day of March, 2004.

Sandra K. Houting

MY COMMISSION EXPIRES: April 14, 2007

SANDRA K. HOUTING  
Notary Public, Ottawa County, MI  
My Commission Expires April 14, 2007